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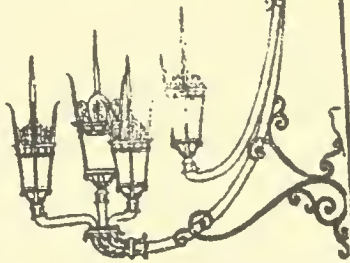
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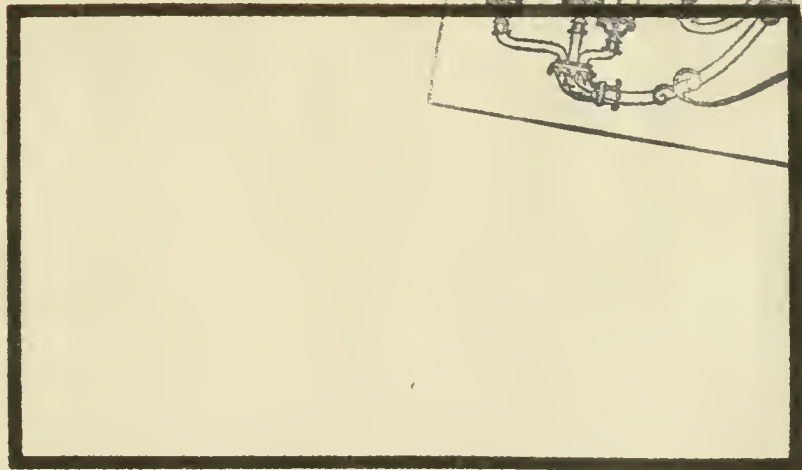


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PROJECT NO. MASS R-77

DOWNTOWN WATERFRONT-FANEUIL HALL

URBAN RENEWAL PLAN



January 6, 1964

DRAFT FOR STAFF REVIEW



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CHAPTER I: DESCRIPTION OF PROJECT

SECTION 101: Project Boundary Map

The boundaries of the Downtown Waterfront-Faneuil Hall Urban Renewal Project Area shall be as shown on Map 1, Property Map, submitted herewith as Exhibit A.

SECTION 102: Project Boundary Description

The Downtown Waterfront-Faneuil Hall Urban Renewal Project Area is bounded and described as follows:

Beginning at the intersection of the westerly U. S. Pierhead Line of the Fort Point Channel and the southwesterly sideline of Northern Avenue Bridge and running northwesterly by the southwesterly sideline of Northern Avenue Bridge and of Northern Avenue and of Northern Avenue extended to the northwesterly sideline of the Fitzgerald Expressway;

thence turning and running northeasterly, northerly and northwesterly by the northwesterly, westerly and southwesterly sidelines of the Fitzgerald Expressway to the southwesterly sideline of Well Street;

thence turning and running northwesterly by the southwesterly sideline of Well Street to the northwesterly sideline of Custom House Street;

thence turning and running northeasterly by the northwesterly sideline of Custom House Street to the southwesterly property line extended of 37 India Street, thence turning and running northwesterly by the southwesterly property line extended and the southwesterly property line of 37 India Street to the northwesterly property line of 37 India Street, thence turning and running northeasterly by the northwesterly property line of 37 India Street and the northwesterly property line extended to the southwesterly sideline of India Street;

thence turning and running northwesterly by the southwesterly sideline of India Street to the southeasterly sideline of State Street;

thence turning and running westerly by the southeasterly sideline of State Street to the easterly sideline of Change Avenue extended;

thence turning and running northerly along the extended easterly sideline and the easterly sideline of Change Avenue to the northerly property line of the property known as 60 State Street;

thence turning and running in an easterly direction by various courses and distances along the northerly property line of said 60 State Street and continuing easterly along the northerly property line of the property known as 80 State Street and the last said property line extended in an easterly direction to the easterly sideline of Merchants Row;

thence turning and running northerly along the extended easterly sideline of Merchants Row to the southerly property line of the property known as 1-3 South Market Street, which is also the northerly sideline of Chatham Street;

thence turning and running westerly along the southerly property line of said 1-3 South Market Street to the easterly sideline of Merchants Row;

thence turning and running northerly along the westerly property line of said 1-3 South Market Street, which is also the easterly sideline and extended easterly sideline of Merchants Row, to an intersection with the extended southerly property line of the property known as Faneuil Hall;

thence turning and running westerly by the southerly property line of Faneuil Hall extended and by the southerly property line of Faneuil Hall to the westerly property line of Faneuil Hall;

thence turning and running northerly by the westerly property line of Faneuil Hall and the westerly property line of Faneuil Hall extended to the northwesterly sideline of North Street;

thence turning and running in a southwesterly direction by the northwesterly sideline of North Street to the easterly sideline of Union Street;

thence turning and running northerly by the easterly sideline of Union Street to the southeasterly sideline of Hanover Street;

thence turning and running northeasterly along the southeasterly sideline of Hanover Street to the northeasterly sideline of Blackstone Street;

thence turning and running southeasterly by the northeasterly sideline of Blackstone Street to the northwesterly sideline of North Street;

thence turning and running in a northeasterly direction in a straight line to the end of the southeasterly side of the southeasterly wall of the Callahan Tunnel;

thence running northeasterly by the southeasterly side of the southeasterly wall of the Callahan Tunnel and running northeasterly by the southeasterly side of the southeasterly wall of the Callahan Tunnel extended above ground to the northeasterly sideline of Richmond Street;

thence turning and running southeasterly along the northeasterly sideline of Richmond Street to the northwesterly sideline of Fulton Street

thence turning and running northeasterly by the northwesterly sideline of Fulton Street to the northeasterly sideline of Lewis Street;

thence turning and running southeasterly by the northeasterly sideline of Lewis Street to the northwesterly sideline of Commercial Street;

thence turning and running northeasterly, northerly and northwesterly along the northwesterly, westerly and southwesterly sidelines of Commercial Street to the northwesterly sideline of Hanover Street;

thence turning and running northeasterly by the northwesterly sideline of Hanover Street to the southwesterly property line of the U. S. Coast Guard Base;

thence turning and running southeasterly by the southwesterly property line of the U. S. Coast Guard Base to the southeasterly property line of the U. S. Coast Guard Base;

thence turning and running northeasterly by the southeasterly property line of the U. S. Coast Guard Base and by such southeasterly property line extended to the U. S. Pierhead Line;

thence turning and running southeasterly, southerly, and southwesterly by the U. S. Pierhead Line to the point of beginning.

CHAPTER II: OBJECTIVES

SECTION 201: Basic Goals

The basic goal of urban renewal action in the Downtown Waterfront-Faneuil Hall Area is to stimulate and to facilitate development efforts in the area in such a way as to

(1) revitalize a key portion of downtown Boston; (2) upgrade the pattern of land uses close by the North End residential community; (3) establish a functional connection between the area and its surrounding districts: the North End, the Government Center and the Financial District; and (4) provide an environment suitable to the needs of contemporary real estate development.

SECTION 202: Specific Planning and Design Objectives

Planning Objectives are:

- (1) To eliminate a pattern of land uses which
 - (a) creates severe traffic congestion in the area
 - (b) exerts a depressing effect on adjacent areas
 - (c) inhibits the development of real property to its fullest economic potential
- (2) To eliminate obsolete and substandard building conditions which contribute to a pattern of spreading blight to adjacent areas
- (3) To prevent the further erosion of property values
- (4) To protect and strengthen the tax base of the city
- (5) To encourage productive and intensive use of land
- (6) To create opportunities for development of a downtown residential community offering a wide range of housing types and rentals
- (7) To provide sites suitable for the construction of efficient, economical buildings

- (8) To create an environment which is conducive to the investment of funds in the rehabilitation, conversion and general upgrading of property
- (9) To create an area with a compatible mixture of living, working and recreational opportunities
- (10) To create an area for the development of marine or marine-oriented activities designed to stimulate tourism and symbolize the importance of Boston's historic relationship to the sea.
- (11) To provide for the efficient flow of traffic within and through the area
- (12) To improve streets and utilities and the landscaping of public areas
- (13) To provide public ways, parks and plazas which encourage the pedestrian to enjoy the harbor and its activities.

Design Objectives are:

- (1) To achieve reconstruction of the waterfront in a manner which will be symbolic of Boston's historic relationship with the sea
- (2) To create a pattern of open spaces and public ways which open vistas of the harbor and its activities
- (3) To achieve a continuity of design between parcels in order to heighten an awareness of the relationship of all buildings to open spaces, pedestrian and vehicular ways
- (4) To achieve definition of open spaces, streets and walkways through treatment of building mass, overhangs and landscaping
- (5) To obtain a sense of unity across and around all sides of public open space, streets and walkways

- (6) To secure the location of building entrances and approaches and the arrangement of ground floor activities in a manner which will be attractive to pedestrians
- (7) To obtain a relationship between lighted display spaces and active portion of buildings and open spaces, streets and walkways which will improve nighttime safety and enhance nighttime activity
- (8) To maximize pedestrian protection under unfavorable weather conditions through the use of arcades or other appropriate techniques
- (9) To achieve the highest level of contemporary architectural design by encouraging developers and their architects to:
 - (a) Study contemporary standards for natural and artificial lighting, acoustics and mechanical plant and treat sensitively the external expression of these factors in order to avoid premature obsolescence
 - (b) Experiment in the arrangement of diverse uses in a single building in order to improve or correct solutions for mixed-use sites and for preserving the spatial integrity of streets and open spaces
 - (c) Achieve a proper relationship between new and old buildings in the area through the careful use of certain wall materials, architectural rhythm and detail of wall openings which continue local architectural traditions of masonry materials and complex and careful scales of wall openings and details
 - (d) Organize parapets and rooftops in a manner which will present an attractive appearance from all points of view.

CHAPTER III : PROPOSED URBAN RENEWAL ACTION

SECTION 301 : Proposed Types of Renewal Action

Proposed types of renewal action within the Project Area will consist of a combination of clearance and redevelopment activities, changes in land use, provision of public improvements, rights-of-way and utilities changes, zone district changes, and rehabilitation activities.

SECTION 302 : Clearance and Redevelopment Activities

Clearance and redevelopment activities will include (1) the acquisition of real property, (2) the management of acquired property, (3) the relocation of the occupants thereof, (4) the clearance of land and buildings, (5) the installation, construction, and re-construction of improvements, and (6) the disposition of land and other property, for uses in accordance with the building requirements, land use and other provisions of the Urban Renewal Plan.

SECTION 303 : Rehabilitation Activities

Rehabilitation activities may include, but not by way of limitation, (1) the acquisition and disposition for rehabilitation of real property in accordance with the land use requirements and rehabilitation standards set forth in the Plan, (2) the undertaking of rehabilitation demonstrations, (3) the systematic enforcement of rehabilitation standards set forth in the Plan as they apply to properties which are not proposed to be acquired, (4) the provision of technical assistance to facilitate rehabilitation, and (5) the acquisition and disposition of real property which is not made to conform to the rehabilitation standards of the Plan.

SECTION 304 : Public Improvements

Public improvements will include, as necessary, the abandonment, provision, improvement, extension, reconstruction, construction, and installation of utilities such as water, sewer, police, and fire communication, traffic signal, and street lighting systems, streets, rights-of-way and open space, in order to carry out the provisions of the Urban Renewal Plan.

The location of rights-of-way and open space shall be shown on Map 2 : Proposed Land Use Plan, submitted herewith as Exhibit B.

Streets and public utility changes shall be such as to conform to the rights-of-way shown on Map 2 : Proposed Land Use Plan.

CHAPTER IV: PROPERTY TO BE ACQUIRED

SECTION 401: Identification

Property to be acquired by the Boston Redevelopment Authority shall be as shown on Map 1, Property Map.

SECTION 402: Properties Designated For Acquisition Which May Not Be Acquired

Certain properties which are to be acquired by the Boston Redevelopment Authority, as shown on Map 1, may not be acquired if the following conditions are met:

- (1) There is presented to the Boston Redevelopment Authority, within a specified time period after approval of the Urban Renewal Plan by the City Council, an acceptable proposal for development and/or rehabilitation of the property in accordance with the controls and requirements of this Plan;
- (2) Within a specified time period after such acceptance an agreement satisfactory to the Boston Redevelopment Authority binding the owner to undertake the development and/or rehabilitation is executed; and
- (3) The development and/or rehabilitation proceeds in accordance with such agreement and within the time periods specified therefor in the agreement.

The following table identifies the properties to which the special conditions are applicable.

TABLE OF PROPERTIES
WHICH MAY NOT BE ACQUIRED

Property Designated for Acquisition	Block Number	Parcel Number	Re-use Parcel	Number of Months for Submission of Proposal	Number of Months for Execution of Agreement
India Wharf	104B	5	A-2	3	3
Central Wharf	104 3/4	1	A-2	3	3
Commercial Wharf (partial)	104 1/4	2	B-1	12	3
Lewis Wharf	104	1	B-2	12	3
52-58 Eastern Avenue	105	2	B-3	12	3
Union Wharf	105	5	B-4	3	3
221 Commercial Street	82	1	C-1	12	3
65-69 Commercial Street	83	1	C-2	12	3
81-85 Commercial Street	84	1	C-2	12	3
4 Commercial Street	101	1	E-1	12	3
62 and 61 Chatham Street	101	3 & 4	E-2	12	3
17, 13 & 7 Merchants Row	100	5, 6 & 7	E-4	12	3
1-52 South Market Street	99	1-18	E-5	12	3
1-28 North Market Street	91	21-10	E-6	12	3
33-46 North Market Street	91	7-1	E-7	12	3

SECTION 403: Not to be Acquired Property - Special Conditions

In the event the property presently owned by the Metropolitan Transit Authority and used as a power station is sold, leased, transferred or otherwise conveyed to other than a successor to the Metropolitan Transit Authority or the present use is no longer considered essential to the operations of the Metropolitan Transit Authority, the property will be acquired by the Boston Redevelopment Authority and the use shall be marine or marine accessory. Controls to be established for the property shall be consistent with the requirements and controls imposed upon similar property by the provisions of the Urban Renewal Plan.

Property not designated for acquisition as shown on Map 1, may be acquired by the Boston Redevelopment Authority (1) if such property is not made to conform to the rehabilitation standards set forth in Chapter VII, (2) to prevent or eliminate blighted, substandard, decadent, deteriorated, or deteriorating conditions, or (3) to prevent or eliminate nonconforming, incompatible, or detrimental land uses as necessary for carrying out the provisions of the Urban Renewal Plan.

SECTION 404: Use of Property Acquired under Special Conditions

The Boston Redevelopment Authority may clear where necessary and sell or lease for redevelopment, renewal or rehabilitation all or any portion of that property which it has acquired under the special conditions set forth in Section 402. Where such property is sold or leased for redevelopment, the Authority shall establish controls relating to land use and building requirements, and such controls shall be consistent with the requirements and controls imposed upon similar property by provisions of the Urban Renewal Plan.

SECTION 405: Interim Use of Acquired Property

The Boston Redevelopment Authority may devote property acquired under the provisions of this Plan to temporary use prior to the time such property is needed for redevelopment. Such uses may include, but are not limited to project office facilities, rehabilitation demonstration projects, parking, relocation purposes, public transportation or recreational uses in accordance with such standards, controls, and regulations as the Authority may deem appropriate.

CHAPTER V : PROPOSED LAND USE AND BUILDING REQUIREMENTS

SECTION 501 : Proposed Land Use Plan

The use of land in the Project Area shall be as shown on Map 2 : Proposed Land Use Plan, which indicates proposed land uses and rights-of-way.

SECTION 502 : General Requirements

- (1) Subdivision - The Boston Redevelopment Authority may subdivide parcels as appropriate, with the permitted uses made applicable to sub-parcels. In the event of sub-division, parking requirements will be divided as appropriate.
- (2) Definitions of Building Requirements and Restrictions
 - (a) Height - The height of a building shall be measured from the mean grade of the sidewalk to the top of the parapet of the building facade.
 - (b) Floor Area Ratio - Floor area ratio shall mean the ratio of gross floor area of a structure or group of structures to total disposition parcel area, and gross floor area shall be defined herein to exclude basements, unenclosed porches, or any floor space designed for accessory garage purposes.
 - (c) Arcade - An area of a building which is open to public access along its entire length.
- (3) Landscaping - All open areas must be suitably landscaped so as to provide a visually attractive environment.
- (4) Sign Control - Signs within the Project Area shall be restricted to the non-animated and non-flashing type, identifying only the establishment and nature of its products. All signs must be suitably integrated with the architectural design of the structure which they identify. No sign shall project beyond the face of the building more than 24". The size, design, location and number of signs shall be approved by the Authority. No signs or advertising shall be placed on the exterior facade on or above the floor level of the third floor of any structure. No sign shall project above the roof of the structure on which it is mounted. Any exceptions to the above controls, or the placement or replacement of any sign during the 40-year duration of this Plan, must be approved by the Authority.

- (5) Exterior Lighting - Exterior lighting may be used to light doors, entrances, show windows, plazas, open spaces and water surfaces. Such lighting shall be located and shielded so as to prevent glare on adjacent properties. No flood lighting of buildings or streets will be permitted except by special approval of the Authority.
- (6) Off-Street Loading - Servicing of all buildings shall be off-street, except that properties not-to-be-acquired may be exempted in writing by the Authority where existing conditions make compliance with this requirement impossible. Developers shall provide access to servicing areas only as permitted under Section 503 below. The following are the off-street loading bay requirements..

Number of Loading Bays Required for
Structures by Gross Floor Area of Structures

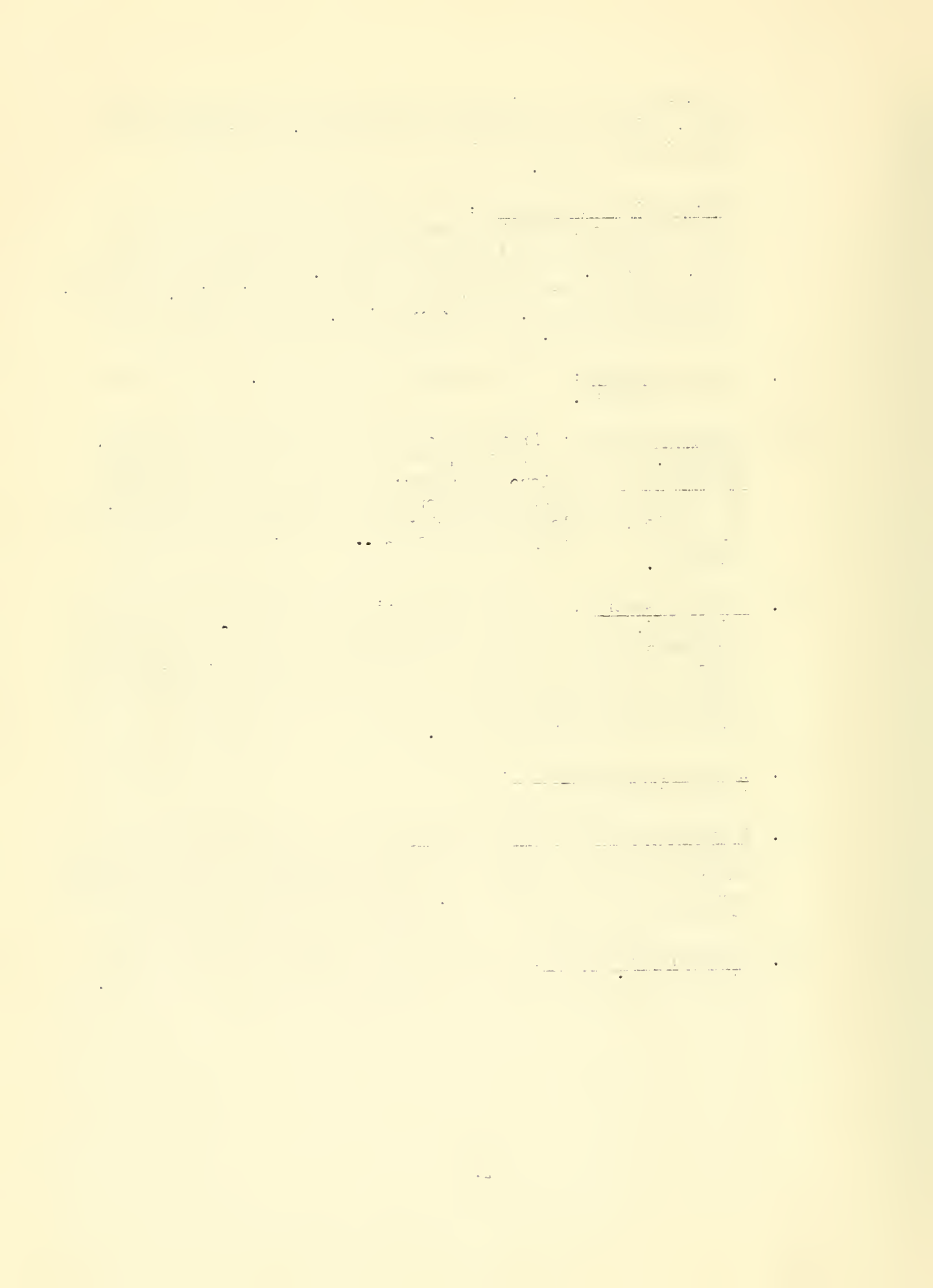
Gross Floor Area (in thousands of square feet)	Under 15	15- 100	100- 150	150- 300	300 and over
Number of Bays Required	0	1	2	3	4 plus 1 for each additional 150,000 sq. ft.

Off-street loading bay requirements do not apply to any of the following uses:

Outdoor recreation places
Parking garages

7. Open Parking or Loading Areas: Open parking or loading areas must be paved and landscaped and effectively screened to provide an attractive visual appearance. The number of parking spaces provided must be consented to in writing by the Authority.
8. Storage: The open air storage of materials, equipment or merchandise, other than automobiles where expressly permitted, shall not be permitted in any section of the Project Area.
9. Uses: The Project Area will be devoted generally to residential, office and general business uses and landscaped open areas. Wholesale business uses on a parcel will be allowed by the Boston Redevelopment Authority only where such uses will not exert a detrimental effect on nearby property and where such uses will not interfere with the achievement of the goals and objectives of the Plan. Specific uses for each parcel are set forth in Section 503. In each case, and unless specifically otherwise provided, designation of a particular use includes all accessory and ancillary uses, customarily or reasonably incident to the use specified or the use on an adjoining parcel. Retail businesses and restaurants are permitted on all parcels unless specifically prohibited by the controls for the parcel.

- ' Landscaped open space is permitted as an accessory use on any parcel. Within the purview of this section, the Authority may permit on any parcel such uses as are consistent with the objectives of the Plan.
10. Other On-Site Improvements: The original construction and appearance of land, buildings and other improvements in all sites of the Project Area shall be maintained in good repair and in clean, sanitary, and attractive condition. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures, where appropriate, shall be provided and properly maintained.
 11. Utility Easement: Utility easements, as needed, may be granted by the Authority.
 12. Subway Facilities: Provision shall be made for subway tunnels, stations, and access facilities in accordance with the Proposed Land Use Plan and disposition parcels shall be subject to easements and other rights as appropriate in accordance therewith. In addition, developers on each parcel may construct or arrange to have constructed such additional access facilities as they deem desirable.
 13. Subway Easements: Easements for existing subway tunnels shall be maintained, and construction shall proceed so as not to damage or threaten damage to or cause leakage in or impair the structure or support of or interfere in any way with the use of Metropolitan Transit Authority facilities, and any existing above ground facilities must be restored or replaced in a manner acceptable to the Metropolitan Transit Authority.
 14. Arcaded Pedestrian Ways: Arcaded pedestrian ways are permitted on all disposition parcels.
 15. Provisions for Handicapped People: All new buildings in the Project Area shall be so designed that persons in wheelchairs can enter and leave and travel about the building in a reasonable manner without undue obstruction. Appropriate entrances and exits for such persons shall be constructed on all major frontages.
 16. Codes and Ordinances: All development shall be in conformance with the applicable codes and ordinances of the City of Boston.



SECTION 503: Specific Land Use and Building Requirements

Land use and building requirements for each disposition parcel are set forth in the following Table of Land Use and Building Requirements.

TABLE OF LAND USE AND BUILDING REQUIREMENTS

Land Use

Building Requirements

Site Designation	Permitted Uses	Maximum Building Height (in feet)	Maximum Floor Area	Minimum Parking Spaces	Vehicular Access	Arcades
A-1	General Business	30	3	NA	NA	NA
A-2	Residential	300	8	3 for each dwelling unit ¹	Not directly from Atlantic Avenue	NA
A-3	General Office General Business	100	8	600 ¹	Not directly from Atlantic Ave.	12' in depth on all building frontages
A-4	General Business Institutional	40	4	NA	NA	NA
A-5	General Office ²	30	3	NA	NA	NA
A-6	General Office	100	10	NA ³	Not directly from Atlantic Ave.	12' in depth on all building frontages
A-7	Transient Housing	150	6	3 for each guest room ⁴ (covered only)	NA	12' in depth along southern building frontages
A-8 and	Public Open Space	NA	NA	NA	NA	NA

¹No open parking permitted. All parking shall be covered, except for such parking as may be provided on rooftops.

²In the event this parcel is not disposed of to the New England Telephone & Telegraph Co. for an addition to its existing building, the use shall be public open space.

³No open parking permitted.

⁴Not more than 25 open parking spaces permitted

TABLE OF LAND USE AND BUILDING REQUIREMENTS (continued)

Land Use

Building Requirements

Site Designation	Permitted Uses	Maximum Building Height (in feet)	Maximum Floor Area Ratio	Minimum Parking Spaces	Vehicular Access	Arcades
B-1 through B-3	Residential General Business	55	5	3 for each 4 dwelling units	NA	NA
B-4	Marine Marine Accessory	55	5	NA	NA	NA
B-5 and C-1	Public Open Space	NA	NA	NA	NA	NA
C-2	Residential	60	2	3 for each 4 dwelling units	NA	NA
D-1	General Business	55	5	200 ~~5~~	Not directly from Atlantic Avenue or Richmond St.	NA
D-2 through D-4	General Business	55	5	60 per parcel ~~5~~	Not directly from Atlantic Ave.	NA
D-5	General Business	55	5	NA ~~5~~	Not directly from Atlantic Ave.	NA
D-6	General Office	55	5	NA ~~5~~	Not directly from Atlantic Ave.	NA

5/All parking shall be covered

TABLE OF LAND USE AND BUILDING REQUIREMENTS (continued)

Land Use		Building Requirements				
Site Designation	Permitted Uses	Maximum Building Height (in feet)	Maximum Floor Area Ratio	Minimum Parking Spaces	Vehicular Access	Arcades
D-7 and D-8	Open Parking	NA	NA	25 per parcel	NA	NA
D-9	General Office	200	8	NA ⁶ /	NA	12' in depth along State and So. Market Streets building frontages
E-1 and E-2	General Business	60	6	NA ⁶ /	NA	NA
E-3	Public Open Space	NA	NA	NA	NA	NA
E-4	General Business	60	6	NA ⁶ /	NA	NA
E-5 through E-7	Residential General Business	60	6	NA	NA	NA
E-8	Parking	60	6	400	NA	NA
E-9	General Office	60	6	NA ⁶ /	NA	NA
E-10 and E-11	General Business Institutional	60	6	NA ⁶ /	NA	12' in depth along building frontages
⁶ / No open parking permitted						

SECTION 504: Interpretation

In the event of any question regarding the meaning or construction of any or all of the standards, controls or other provisions of this Plan, the interpretation or construction thereof by the Boston Redevelopment Authority shall be final and binding.

SECTION 505: Duration of Controls

The provisions and requirements established in the Plan shall be maintained and in effect for a period of forty (40) years from the date of the original approval of the Urban Renewal Plan by the Boston City Council, except for Sections 1001 and 1002, which shall remain in effect for a period of one hundred (100) years from said date.

CHAPTER VI : REDEVELOPER'S OBLIGATIONS

SECTION 601 : Applicability

The provisions of this chapter shall apply upon disposition by the Boston Redevelopment Authority to all property to be acquired by the Boston Redevelopment Authority within the Project Area and shall be implemented by appropriate covenants and provisions in disposition documents.

SECTION 602 : Compliance with Plan

Redevelopment and rehabilitation in the Project Area shall be made subject to the regulations and controls set forth in the Urban Renewal Plan. The purpose of such regulations and controls is to assure that renewal of the Area will conform to the planning and design objectives of the Urban Renewal Plan. It is therefore the obligation of all developers not only to comply with these controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare development proposals which are in harmony with the Plan.

SECTION 603 : Design Review

All development proposals will be subject to design review, comment and approval by the Boston Redevelopment Authority prior to land disposition and/or prior to the commencement of construction.

In addition to assuring compliance with the specific controls and design objectives set forth in this Plan and as more specifically set forth in disposition documents, the Boston Redevelopment Authority shall establish design review procedures and evaluate the quality and appropriateness of development proposals with reference to the design objectives and requirements set forth in this Plan and in the disposition documents.

SECTION 604 : General Obligations

The Boston Redevelopment Authority shall obligate developers and purchasers of land in the Project Area, and their successors and assigns, by covenants and conditions running with the land or other appropriate means, subject to further provisions made by the Boston Redevelopment Authority for reasonable action in the event of default or non-compliance by such developers and purchasers:

- (1) To devote, develop or otherwise use such land only for the purpose and in the manner stated in the Plan and/or in applicable disposition documents.

(2) To comply with such terms and conditions relating to the use and maintenance of such land and improvements thereon as in the opinion of the Authority are necessary to carry out the purpose and objectives of the Plan and of Chapter 121 of the Massachusetts General Laws, as amended:

(3) To commence, execute, and complete construction and improvements in accordance with reasonable time schedules as determined and established by the Authority.

SECTION 605 : Disposition by Developer

The developer shall not dispose of all or part of his interest within the Project Area without the consent of the Boston Redevelopment Authority until the full completion by the developer of all improvements required by and in conformity with the terms and conditions of both the Urban Renewal Plan and the Development Proposal submitted to and approved by the Boston Redevelopment Authority on the basis of this Urban Renewal Plan; provided, however, that all or any part of such interest may be disposed of prior to full completion of such improvements upon written consent of the Boston Redevelopment Authority, which consent shall not be granted except under conditions that will prevent speculation, protect the interest of the Boston Redevelopment Authority and the City of Boston, and effect compliance with and achieve the objectives of Chapter 121 and, if applicable, Chapter 121A of the Massachusetts General Laws, as amended.

CHAPTER VII: REHABILITATION

SECTION 701: Identification

Property not designated for acquisition as shown on Map 1, Property Map, to conform to the rehabilitation requirements of this Chapter.

SECTION 702: Applicability

All properties and buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on Map 1, Property Map, are to be maintained at or brought to a level which meets the requirements of this Chapter.

Any property or building which is not maintained at or brought to conformity to said standards may be acquired by the Boston Redevelopment Authority as provided in Chapter IV.

SECTION 703: General Objectives

The basic objectives of rehabilitation activity shall be to secure and maintain all structures and their environment in such a way as (1) to prevent the spread of blight and deterioration, (2) to restore deteriorating areas to sound condition, (3) to improve the quality of individual properties, and (4) to create decent, safe and sanitary structures providing the greatest degree of amenity, convenience, usefulness and livability for the occupants thereof.

SECTION 704: Planning and Design Objectives

- (1) Land uses shall be complementary, and shall not adversely affect each other.
- (2) Nonconforming uses must not produce crowding, noise, odors, air pollution, glare, heat vibration, dirt, etc.
- (3) Adequate off-street parking and loading facilities shall be provided.
- (4) Uses shall provide for the control of noxious by-products of their operations.

- (5) The physical character of buildings shall be architecturally consistent with buildings in the immediate vicinity in order to eliminate deteriorating or blighting influences, and to achieve an aesthetically pleasing environment.
- (6) All open areas shall be attractively landscaped.
- (7) Buildings shall be structurally sound.
- (8) The height of buildings shall not be greater than that which exists on the date of the approval of the Urban Renewal Plan by the City Council, unless specific approval is given by the Boston Redevelopment Authority, which approval will be given only upon a finding that an increase in the building height will not have a detrimental effect on nearby properties.

SECTION 705: Health Objectives

Sanitary objectives must be attained in order to eliminate or prevent conditions which cause disease or which are otherwise detrimental to the public health, safety and the general welfare of the community. To achieve this:

- (1) All facilities necessary for adequate heat, lighting, plumbing, and general sanitation must be properly installed and maintained in good working condition.
- (2) Structural and environmental conditions necessary for the provision of adequate space for occupants, and for healthy living conditions or use must be maintained.

SECTION 706: Safety Objectives

Safety objectives must be achieved to prevent unsafe conditions causing injury to persons or damage to adjacent buildings. To achieve this:

- (1) Potential fire hazards must be eliminated.
- (2) Unsafe conditions in yards and open spaces must be eliminated.
- (3) The exterior and interior of buildings must provide maximum safety.

(4) Satisfactory means of egress must be provided.

SECTION 707 : Rehabilitation Standards

All buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on Map 1, Property Map, shall be maintained at or made to conform to:

- (1) the standards of the "Regulations Establishing Minimum Standards of Fitness for Human Habitation in the City of Boston" made by the Boston Health Department on September 27, 1956, as amended;
- (2) the "Building Code of the City of Boston", as amended, and all other laws, ordinances, codes, and regulations governing the provision of dwelling facilities, maintenance and occupancy, and the repair, vacation, securance and/or demolition of unfit structures;
- (3) the City of Boston Zoning Regulations, as amended, and all laws, ordinances, codes, and regulations governing land use, lot size, building bulk, height and area, open space, building setback, off-street parking and loading, subject in all cases to provisions governing nonconforming building and site development as distinct from provisions governing nonconforming land use which are inapplicable and (4) all other state and local laws, ordinances, codes and regulations relating to the maintenance, repair, construction, reconstruction, use, operation, and condition of property and buildings provided, however, that deviations from such laws, ordinances, codes and regulations may be granted and approved as provided under Chapter 121A, Massachusetts General Laws (Ter. Ed.), as amended, and as provided under such laws, ordinances, codes and regulations. Failure to set forth herein any provision of any such law, ordinance, code or regulation shall not be deemed to make such provision inapplicable.

SECTION 708 : Additional Requirements - General

(1) Interior Remodelling and Spatial Arrangement

The interior floors, walls, ceilings, doors and door frames, window frames, stairs and other interior details shall be rearranged as required and rehabilitated to a safe and usable condition, suitable and desirable for the use intended.

(2) Structural Standards

The foundations, exterior and interior bearing walls, party and/or fire walls, columns, floor and roof framing members shall be rehabilitated as necessary so as to be structurally sound and fulfill the structural requirements for the permitted uses.

(3) Mechanical Equipment and Facilities

All mechanical and sanitary equipment and facilities, including but not necessarily restricted to lighting and electrical service, heating, venting and air-conditioning, plumbing, toilets and elevators, shall be rehabilitated to a safe and usable condition, unless existing equipment and facilities are of such condition that they are not repairable, in which instance they shall be replaced or installed as appropriate.

(4) Protection from Elements

- (a) The roof, walls, foundations, gutters, drains, and details around wall openings shall be rehabilitated as appropriate so that all interior spaces will be free of leaks and dampness.
- (b) Contemporary flashing and damp-proofing shall be installed at all critical points for the protection of exterior walls and roofs; and
- (c) Weather proofings shall be accomplished in a manner consistent with the architectural and historical motif of the structure.

(5) Exterior Facades and Roofs

- (a) All appropriate facades of the building shall be rehabilitated or brought up to a standard acceptable to the Boston Redevelopment Authority which is compatible with the architecture of the building as well as that of nearby buildings. In

particular, unfinished facades shall be refaced in a manner which will make them harmonious with the rest of the building.

- (b) In general, exterior facades are to be rehabilitated in a manner consistent with the architectural tradition and stylistic motif of the area without detracting from the contemporary and future usefulness of the building.
- (c) All nonfunctioning or nonusable mechanical equipment (and housings for same), vents, flues and chimneys, shall be demolished and removed. The only new structure above present roof to be permitted will be housings for mechanical equipment and these must be of a design, detail, size, material and workmanship in harmony with the historical and/or contemporary motifs of the building.

(6) Signs and Advertising

- (a) No flashing electrical signs may be used; and
- (b) In general, all other controls and restrictions of the Urban Renewal Plan pertaining to fixed signs and advertising apply to the buildings. Exceptions for special heraldic devises and symbols, hanging signs, or mechanical signs may be submitted to and approved by the Boston Redevelopment Authority if these can be shown to relate to the historical traditions of which the building is a symbol. Fixed signs, advertising, and heraldic devises shall be approved on the basis of the entire facade of structures, rather than for individual occupancies.

SECTION 709: Inspection and Notice

The Boston Redevelopment Authority will inspect each and every property not designated for acquisition as shown on Map 1, Property Map.

Whenever it has been found on inspection that a residential or non-residential property or structure does not meet the objectives, standards, and controls of this Chapter, the Boston Redevelopment Authority shall, within a reasonable period of time after the inspection, give notice of such non-conformance to the owner and to any person or persons other than the owner who may be responsible therefor.

Such notice shall be in writing, addressed to the owner and to any other person or persons required to be notified, at their last known address and shall be sent by certified or registered mail.

Such notice shall state why it is being issued, shall specify the respects in which the property fails to meet the objectives, standards and controls of the Plan and shall specify what work is required to bring the property into compliance. Such notice may also set a proposed schedule for beginning and completing each part of the work, provided that a reasonable time is allowed for the performance of any act required.

If, at the end of such period, satisfactory conformance to the standards and objectives of this Chapter has not been achieved, the Boston Redevelopment Authority may acquire the property, by eminent domain if necessary; provided, however, that the property may be acquired at any time with the consent of the owner.

SECTION 710 : Technical Assistance

Technical assistance for rehabilitation will be provided by the Boston Redevelopment Authority for the purpose of developing an awareness and understanding of rehabilitation objectives, standards, requirements, and methods; and for the purpose of providing guidance in planning, design, construction, financing, and execution of individual rehabilitation activities as necessary to carry out the provisions of the Urban Renewal Plan.

SECTION 711 : Property To Be Acquired For Rehabilitation

- (1) Property to be acquired by the Boston Redevelopment Authority and disposed of for rehabilitation shall be made subject to the requirements of this Chapter and of Chapter V.
- (2) The following table identifies properties to be acquired by the Boston Redevelopment Authority and disposed of for rehabilitation in accordance with the requirements of this Chapter and of Chapter V:

TABLE OF PROPERTIES TO BE ACQUIRED AND DISPOSED OF FOR REHABILITATION

<u>Address</u>	<u>Block Number</u>	<u>Parcel Number</u>	<u>Re-Use Parcel Number</u>
14-40 Lewis Wharf	104	1	B-2
52-58 Eastern Avenue	104	2	B-3
1-7 Union Wharf	104	5	B-4
81-85 Atlantic Avenue	84	1	C-2
65-69 Atlantic Avenue	83	1	C-2
126-144 Commercial St.	81	1	C-2
70-124 Commercial St.	80	1-11	C-2
71-117 Commercial St.	85	1-9	C-2
46-33 and 28-1 North Market Street	91	1-7 and 10-21	E-5
1-52 South Market Street	99	1-18	E-7

CHAPTER VIII : ZONE DISTRICT CHANGES

SECTION 801 : Identification of Changes

Zone district changes shall be as shown on Map 3 : Existing and Proposed Zoning Map, submitted herewith as Exhibit C.

CHAPTER IX : RELATIONSHIP OF PLAN TO DEFINITE LOCAL OBJECTIVES

SECTION 901 : Conformity to General Plan

The Urban Renewal Plan is in conformity with the General Plan for the City of Boston, last established by the Boston City Planning Board. The proposed land uses, project improvements and supporting facilities to be provided are all in accordance with the General Plan proposals for downtown Boston. The Urban Renewal Plan will help to carry out the General Plan proposals for this area of the City. There is also conformity with the Program for Community Improvements since the General Plan and the general plan for the Central Business District are key elements of that Program.

SECTION 902 : Relationship to Definite Local Objectives

(1) Land Use

The Project plans will help achieve the local objectives of providing new and improved office space in downtown Boston and the creation of new residential units available to a wide range of income levels. The office and residential uses in the area will be supported by accessory uses, including retail and service establishments, parking and transient facilities. In addition to the stated objectives directed at the renewal of this important downtown area of the city, the present Urban Renewal Plan will help achieve the local objective of developing the area's potential as a tourist attraction through the improvement of pedestrian access and the linkage of the area to the surrounding sections of the Boston peninsula.

(2) Traffic Improvements

The plan will enable selective improvement within the overall street system of the Project Area in keeping with traffic and parking requirements for the new improvements within the project and will provide sufficient off-street loading throughout the project. It will thus meet the local objective of reducing congestion, reducing accidents, and providing suitably located parking areas.

(3) Improvement of Public Utilities

The Urban Renewal Plan proposes the relocation, abandonment or replacement, as necessary, of all existing sub-standard or inadequate underground public utilities with new underground lines adequate in capacity and flow and in conformance with local standards.

(4) Recreation and Community Facilities

The Plan will provide a system of public open spaces within the project which will facilitate pedestrian access and heighten the appeal of the new buildings. This goal has long been an important part of the planning objectives for the area.

CHAPTER X : ANTI-DISCRIMINATION PROVISIONS

SECTION 1001 : Affirmative Covenant

Every agreement, lease, conveyance, or other instrument by which land in the project area is disposed of for uses which may include housing or facilities related to residential uses shall include an affirmative covenant binding on the contractor, lessee, grantee, or other party to such instrument and on the successors in interest to such contractor, lessee, grantee, or other party that there shall be no discrimination upon the basis of race, color, creed, or national origin in the sale, lease, or rental or in the use or occupancy of such land or any improvements erected or to be erected thereon; and the Boston Redevelopment Authority will take all steps necessary to enforce such covenant and will not itself so discriminate.

SECTION 1002 : Compliance with Anti-Discrimination Laws

All property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management or occupancy of real property in the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws (Ter. Ed.) as amended, and to all other applicable Federal, State, and local laws prohibiting discrimination or segregation by reason of race, creed, color, or national origin.

CHAPTER XI : MODIFICATION AND TERMINATION

SECTION 1101 : Modification

The Urban Renewal Plan may be modified at any time by the Boston Redevelopment Authority provided that, if the general requirements, controls, or restrictions applicable to any part of the Project Area shall be modified after the lease or sale of such part, the modification is consented to by the Developer or Developers of such part or their successors and assigns. Where proposed modifications will substantially or materially alter or change the Plan, the modifications must be approved by the Boston City Council and the State Division of Urban and Industrial Renewal.

SECTION 1102 : Termination

This Urban Renewal Plan shall be in full force and effect for a period of forty (40) years from the date of approval of the Plan by the City Council of the City of Boston.



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